

Expiration and Extension of Conditional Use Permits

If substantial construction has not commenced pursuant to an approved Conditional Use Permit within three (3) years from the date of final approval from the City Council, and no request for an extension is pending, the City Council shall authorize the City Planning Commission to recommend whether the approval should be terminated or extended.

Unless otherwise prohibited by law or ordinance, the Executive Director may extend the time for expiration of a Conditional Use Permit for a period not to exceed one (1) year upon showing good cause by the applicant, if the request for extension is made in writing within the original time period of validity. An extension period in excess of one (1) year shall be granted only by the City Council.

This brochure is intended to generally answer questions about the Conditional Use process. For more information, please call the Department of Safety & Permits at **(504) 658-7100** or the City Planning Commission at **(504) 658-7000**.

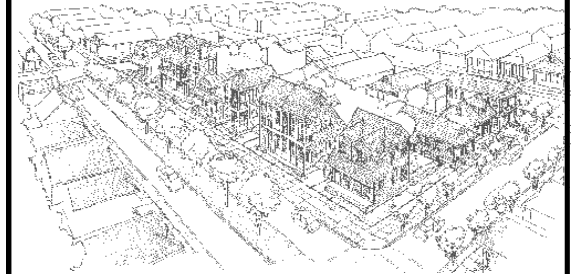
City of New Orleans
Department of
Safety & Permits
Rev. 5/10



Contact Us:
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Guidelines for: Conditional Use Permits

CITY PLANNING
COMMISSION
of New Orleans



CITY OF NEW ORLEANS
DEPARTMENT OF
SAFETY & PERMITS

REV. 5/10

What is a Conditional Use?

The Comprehensive Zoning Ordinance (CZO) lists, for every zoning district, those uses which are permitted by right, those which are considered accessory uses, and those which are conditional uses.

A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through the imposition of standards and conditions.

General Information about Conditional Uses

- The designation of a use as a Conditional Use in a particular zoning district does not constitute an authorization or assurance that such a use will be approved.
- Approval of a Conditional Use Permit shall authorize only the particular use for which the permit is issued.
- No use authorized by a Conditional Use Permit shall be enlarged, extended or relocated, nor may the number of dwelling units be increased unless the Conditional Use is modified through another application.
- Development of the use shall not be carried out until the applicant has secured all the permits and approvals required by these zoning regulations, the City Code or any permits required by regional, State or Federal agencies.

What is the cost for a Conditional Use?

The cost for zoning applications requiring site plan review is determined by the size of the property being considered, please contact the City Planning Commission for the most current fee schedule. Once the request is advertised and public notice occurs the fee becomes non-refundable. Fee payment should be in the form of a check or money order, made payable to the City of New Orleans.

How do I obtain a Conditional Use Permit?

An application for a Conditional Use Permit, along with a site plan may be submitted by the property owner or his designated representative to the Executive Director of the City Planning Commission. Applications are available in the City Planning Commission Office, at 1340 Poydras St., 9th Floor. Their office hours are 8:30 a.m. until 6:00 p.m., Monday through Friday. All preliminary site plans submitted in support of an application should include (but is not limited to) the following information:

- The name of the project and the firm preparing the drawings.
- A North Arrow, zoning classification, scale and date.
- Tabulation, in square feet, of the subject property, total land area, and total floor area of both the existing and proposed buildings.
- Bounding streets and curb-cuts, existing and proposed.
- Location of existing utilities.
- Typical floor plans, entrances and exits.
- For new construction – location, height and dimensions of any structure, including elevations of each face of the proposed building(s), setbacks from the property lines, construction materials, color and any exterior lighting.
- For existing construction – location, height, dimensions and setbacks from property lines, including current color photographs.
- Off-Street Parking – location, number and dimensions of parking spaces, including parking for the disabled and off-street loading areas.
- Exterior Lighting – location, height, type and number.
- Fencing – location, height and material (existing and proposed)
- Landscaping – location of existing and proposed landscaped areas, including size and species of trees and plant materials, trash facilities and screening.
- Barrier Free Access Plan
- Any additional drawings or other graphic materials as needed to support the proposal.

What is the process and how long will it take?

- The City Council shall be the final decision-maker on applications for Conditional Use Permits.
- Following a public hearing and in consideration of the City Planning Commission's recommendation the City Council shall approve, modify or deny the proposal.
- If the use is not appropriate at the proposed location, the application shall be denied for being incompatible with existing uses or uses permitted by right in the zoning district.
- If approving the application, the City Planning Commission may recommend, and the City Council may impose such conditions as are reasonably necessary to ensure the appropriateness of the use at the proposed location.
- Any conditions imposed shall be set forth in the ordinance approving the conditional use and shall be incorporated into or noted on the site plan for final approval.
- The Executive Director of the City Planning Commission, or her agent, shall verify that the plan incorporates all conditions set forth in the ordinance authorizing the Conditional Use and shall sign the plan to indicate final approval.
- The applicant shall have the signed plans recorded with the Office of Conveyances of Orleans Parish within 30-days of final approval from the date of final approval. If the plans are not recorded, the ordinance approving the Conditional Use shall be deemed null.
- The entire process, from the time of submission until final action by the City Council takes approximately 120 to 180 days.